

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): **Fernandez, et al.**

Docket No.: **FERN-P004**

Serial No.: **09/145,167**

Group Art Unit: **3628**

Filed: **09/01/1998**

Examiner: **Wu, Rutao**

Title: **ADAPTIVE DIRECT TRANSACTION FOR NETWORKED CLIENT GROUP**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicants wish to bring the enclosed printed publications and patent references to the attention of the Examiner.

On 1/29/2009 Applicants received a Request for Ex Parte Reexamination for Applicants' related U.S. Patent number 6,963,899, which is also presently in litigation. A copy of the Request is submitted herewith. Page 8 of the Request (attached) lists a number of references which at the time of receipt had not been cited in the present application. Subsequent to receipt of the Request, U.S. and foreign patent references identified in the Request as Exhibits C through F were cited in Applicants' IDS filed 2/18/2009.

With respect to these references, under 37 CFR 1.97(d) applicant submits the statement specified in 1.97(e) and the fee set forth in 37 CFR 1.17(p). Pursuant to the statement requirement under 1.97(e), "no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement."

References identified in the Request as Exhibits A, B, and J were already of record in the present application.

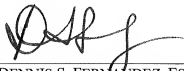
References identified in the Request as Exhibits G through I are being submitted in compliance with MPEP 2001.06(c).

The Request itself, and references identified in the Request as Exhibits K through R, are being submitted in compliance with MPEP 2001.06(b).

In addition to the above reexamination-related references, applicants' copending U.S. divisional and continuation applications related to the present application are also listed in compliance with MPEP 2001.06(b).

Applicants respectfully submit that Applicants' claimed invention is patentable over such references. Forms PTO/SB/08A and PTO/SB/08B listing these references are attached. It is understood that the Office may find additionally relevant material in these or other references.

Respectfully submitted,



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4/25/2009
Date

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**IV. PATENTS, PRINTED PUBLICATIONS, AND ADMISSIONS BY THE
PATENT OWNER RELIED UPON OR REFERRED TO**

Exhibit No.	Name
A	Hassett 6,807,558
B	Simms 5,334,974
C	Smith 5,422,624
D	Suzuki JP 8076706
E	Goldberg WO 97/26061
F	Hendricks WO 95/15658
G	Plaintiffs Opening Claim Construction Brief
H	Reply Brief in Support of its Claim Construction Argument
I	Brief for Plaintiff-Appellant Before the Court of Appeals for the Federal Circuit
J	6,963,899 Fernandez et al.
K	'899 File History, Final Rejection, Nov. 24, 2004
L	'899 File History, Appeal Brief, Feb. 10, 2005
M	Claim Chart – Hassett
N	Claim Chart – Simms
O	Claim Chart – Smith
P	Claim Chart – Suzuki
Q	Claim Chart – Goldberg
R	Claim Chart – Hendricks